

**Amendments to the claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

68. (Currently amended) A drug delivery device for implantation into the ear of a patient comprising: a non-linear shaped body member having at least two deviations from a linear and ~~that has a shape other than a substantially C-configuration and that is implanted within a patient's~~ ear during use of the device to deliver a drug substance to the patient via the body member.

69. (Previously presented) The device of claim 68 wherein the device body member comprises at least three deviations from a linear path.

70. (Previously presented) The device of claim 68 wherein the device body member comprises at least four deviations from a linear path.

71. (Previously presented) The device of claim 68 wherein the device body member comprises at least five deviations from a linear path.

72. (Previously presented) The device of claim 68 wherein the device body member comprises a helical shape.

73. (Previously presented) The device of claim 68 wherein the device body member comprises a substantially Z-shape.

74. (Previously presented) The device of claim 68 wherein the device comprises a therapeutic agent for delivery to the patient during use of the device.

75. (Previously presented) The device of claim 68 wherein the device body member comprises a polymer.

76. (Previously presented) The device of claim 68 wherein the device length is about 1.5 cm or less.

77. (Currently amended) A drug delivery device for implantation into the ear of a patient comprising: a coil-shaped body member that is implanted in a patient's ear during use of the

device to deliver a drug substance to the patient via the body member.

78. (Previously presented) The device of claim 77 wherein the device comprises a therapeutic agent for delivery to the patient during use of the device.

79. (Previously presented) The device of claim 77 wherein the device body member comprises a polymer.

80. (Previously presented) The device of claim 77 wherein the device body member comprises a polymer that comprises a therapeutic substance to be delivered to the patient.

81. (Previously presented) The device of claim 77 wherein the device length is about 1.5 cm or less.

82. (Currently amended) A method for treating a patient comprising: (a) providing a delivery device comprising a non-linear shaped body member having at least two deviations from a linear path ~~and that has a shape other than a substantially C-configuration~~; and (b) inserting into a patient ear the device whereby the body member resides in the patient ear and a therapeutic substance is administered to the patient via the body member.

83. (Previously presented) The method of claim 82 wherein the device body member comprises at least three deviations from a linear path.

84. (Previously presented) The method of claim 82 wherein the device body member comprises at least four deviations from a linear path.

85. (Previously presented) The method of claim 82 wherein the device body member comprises at least five deviations from a linear path.

86. (Previously presented) The method of claim 82 wherein the device body member comprises a helical shape.

87. (Previously presented) The method of claim 82 wherein the device body member comprises a substantially Z-shape.

88. (Previously presented) The method of claim 82 wherein the device body member comprises a polymer.

89. (Previously presented) The method of claim 82 wherein the device body member comprises a polymer that comprises a therapeutic substance to be delivered to the patient.

90. (Previously presented) The method of claim 82 wherein the device comprises a shape memory material.

91. (Previously presented) The method of claim 82 wherein the device length is about 1.5 cm or less.

92. (New) The device of claim 68 or 77 wherein at least a portion of the device body member comprises a material that is permeable or semi-permeable to the drug substance.

93. (New) The device of claim 92 wherein the percentage of the body member comprising a permeable or semi-permeable material controls the rate of delivery of the substance.

94. (New) The delivery device of claim 92 wherein the permeability of the material to the substance controls the rate of delivery of the substance.

95. (New) The device of claim 92 wherein the material is selected from polycarbonates, polyolefins, polyurethanes, copolymers of acrylonitrile, copolymers of polyvinyl chloride, polyamides, polysulphones, polystyrenes, polyvinyl fluorides, polyvinyl alcohols, polyvinyl esters, polyvinyl butyrate, polyvinyl acetate, polyvinylidene chlorides, polyvinylidene fluorides, polyimides, polyisoprene, polyisobutylene, polybutadiene, polyethylene, polyethers, polytetrafluoroethylene, polychloroethers, polymethylmethacrylate, polybutylmethacrylate, polyvinyl acetate, nylons, cellulose, gelatin, silicone rubbers and porous rubbers.

96. (New) The device of claim 68 or 77 wherein at least a portion of the body member comprises a biodegradable polymer.

97. (New) The device of claim 96 wherein the biodegradable polymer contains microparticles of the substance to be delivered, wherein as the polymer decomposes, the substance to be delivered is released.

98. (New) The device of claim 96 wherein biodegradable polymer is selected from polyesters of molecular weight from about 4,000 to about 100,000, homopolymers and copolymers of polylactic acid and polyglycolic acid, polycaprolactone, homopolymers and copolymers of polyanhydrides, homopolymers and copolymers of dicarboxylic acids, polymeric fatty acid dimer compounds, poly(alkyl-2-cyanoacrylate), poly(hexyl-2-cyanoacrylate), collagen (gelatin), polyacetals, divinylxyalkylenes, polydihydropyrans, polyphosphazenes, homopolymers and copolymers of amino acids, polydioxinones, polyalkylcyano acetates, polysaccharides and their derivatives, and cellulose and hydroxymethyl cellulose.

99. (New) The device of claim 98 wherein the biodegradable polymer is selected from terephthalic acid anhydride, bis(p-anhydride), poly(p-carboxyphenoxy) alkyl, sebacic acid, adipic acid, oxalic acid, phthalic acid, maleic acid, polydodecanedioic acid polyorthoesters, copolymers of leucine and methyl glutamate, dextran and cyclodextran.

100. (New) The method of claim 82 further comprising delivering the therapeutic substance to the patient by diffusion.

101. (New) The method of claim 82 further comprising delivering the therapeutic substance to the patient by enzymatic degradation.

102. (New) The method of claim 82 wherein at least a portion of the device body member comprises a biodegradable polymer containing microparticles of the substance to be delivered, and wherein the method further comprises allowing the polymer to decompose, thereby releasing the substance to the patient.